# Court Is Told Report of Lie

## Subpena for Crime Unit Records Defended

An assistant Orleans Parish district attorney Friday told the Louisiana Supreme Court his office wants Metropolitan Crime Commission records because it has information that an informant of the commission lied to obtain pay.

Richard Burns, in a hearing on the commission's motion to quash a subpena for the commission's records to be turned over to the Orleans Parish Grand Jury, said that is why his office is interested in who are paid informants and how much they are paid.

Another assistant district attorney, Mrs. Louise Korns, said the DA's office is only interested in information on confidential informants and special knowledge of the commission about organized crime.

The motion to quash was appealed to the Supreme Court after Criminal District Court Judge Malcolm V. O'Hara denied it. The subpena issued by the district attorney's office ordered production of financial, membership and other records of the commission, including names of supporters and informers.

Mrs. Korns, however, told the seven judges that all the court has before it is the correctness of the subpena for documents concerning informers and their pay.

**'PARTS SEVERED'**

She said the district attorney severed other parts from the subpena, and only wants records on confidential informants and those relating to organized crime.

Asked what she meant by organized crime, Mrs. Korns said she would have to go back to the Life Magazine articles on crime in Louisiana.

At this point, Associate Justice Frank W. Summers asked why the subpena should not be considered vague and indefinite, and Associat Justice Walter B. Hamlin remarked it was the first time he ever heard of a motion to sever parts of a subpena.

Justice Hamlin said it appeared that the district attorney should have filed a supplemental and amended pleading in the district court setting out specific records he wants.

Representing the commission, Milton Brener said the only way the commission can comply with the subpena is to hand over all its books and records.

**PROBE INDICATED**

Brener said the subpena indicates the grand jury is investigating the commission and its members and informants.

Justice Summers said he thinks it is unreasonable for the district attorney to ask for all the records.

Chief Justice John B. Fournet commented that the crime commission went out and spread it all over the world that we have organized crime.

"They (the district attorney staff) want to find out your source of information and see if there is organized crime here," he added.

He then asked Herbert J. Garon, another lawyer for the crime commission, if the commission objects to giving information to the grand jury.

Garon said it does in this case because the subpena is not a lawful mandate and that the subpena is broad and oppressive.

The court took the matter under advisement, and a court clerk said a ruling probably will be rendered next month.